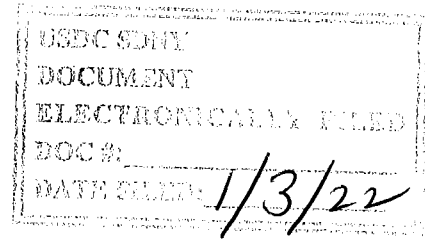


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GILBERT SEGAL JR.,
Plaintiff,

v.

NEW YORK MILITARY ACADEMY (ALL
ENTITIES INCLUDING, BUT NOT LIMITED
TO INSURANCE REPRESENTATIVES, ETC);
THE NATIONAL ASSOCIATION OF
INDEPENDENT SCHOOLS; THE RESEARCH
CENTER ON NATURAL CONVERSATION
INC.; ASSOCIATION OF MILITARY
COLLEGES AND SCHOOLS OF THE
UNITED STATES; JOHN DOE 1-8; JROTC
ARMY,
Defendants.
-----X



ORDER

21 CV 6872 (VB)

Copies Mailed/Faxed 1-3-22
Chambers of Vincent L. Briccetti
JH

On November 30, 2021, the Court ordered plaintiff, proceeding pro se, and the New York Military Academy (“NYMA”) to work together in good faith to identify the six John Doe former classmates and two John Doe staff members, as well as their addresses, based upon the information NYMA currently possesses. (Doc. #11).

By letter dated December 30, 2021, counsel for NYMA informed the Court that despite his efforts to contact plaintiff to confer in good faith to identify the John Doe defendants plaintiff had not responded to him since December 3, 2021. (Doc. #14). In other words, it appears plaintiff has failed to comply with the Court’s November 30, 2021, Order.

On January 3, 2022, the Clerk entered on the docket a “summons returned executed” indicating plaintiff had served defendant NYMA with a summons on December 30, 2021. (Doc. #16). That same date, the Clerk entered on the docket an undated letter from plaintiff in which he requests an extension of time to serve the remaining defendants. (Doc. #15).

Accordingly, it is HEREBY ORDERED:

1) By no later than January 28, 2022, plaintiff shall communicate with counsel for NYMA to discuss whether NYMA and plaintiff can identify the John Doe defendants. If plaintiff fails to do so, the Court may dismiss this case for failure to prosecute or comply with Court Orders. See Fed. R. Civ. P. 41(b).

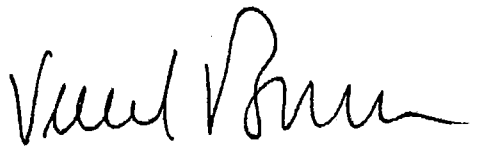
2) Plaintiff's time to file the second amended complaint remains February 4, 2022. (See Doc. #11). Plaintiff shall not file a second amended complaint until he has first met and conferred with NYMA's counsel in compliance with the Court's instruction to NYMA and plaintiff to work together in good faith to identify the John Doe defendants. If plaintiff requires additional time to file a second amended complaint, he must seek an extension of time to do so no later than February 4, 2022.

3) Plaintiff's time to serve defendants Research Center on Natural Conservation Inc., Association of Military Colleges and Schools of the United States, JROTC Army, and The National Association of Independent Schools is stayed temporarily until ninety days after plaintiff files the second amended complaint.

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: January 3, 2022
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge